

Our columns to-day contain the reply of Hon. T. J. Wharton, late Attorney General of this State, to the letter of inquiry addressed to him in connection with others, on the 8th inst. The reader will be gratified that the reluctance of Mr. Wharton to appear before the public, has yielded to his sense of duty. While expressing his repugnance to both the alternatives forced upon the South by the recent legislation of Congress, he does not hesitate to declare his conviction as to the choice we should make between them; and in support of his conclusion, he presents a chain of reasoning which we consider conclusive and unanswerable. They who have formed opinions in accord with his own, will be strengthened in their position by his arguments; and they who have been led hastily to the formation of opposite conclusions, are invited calmly to consider them. We assume that it is the aim of every one to adopt that course which will best promote the welfare of our suffering people.

The following is the proposition of Sumner, which was defeated in the Senate a few days ago:

"Mr. Sumner introduced joint resolutions declaring that certain further guarantees be received in the reconstruction of the rebel States. In addition to universal suffrage the resolutions require that the existing governments must be vacated and be no part in the reconstruction; that provisional governments must supersede the present illegal governments; that no loyal persons shall take part in the new State governments; that public schools must be established, open to all, and that a homestead must be secured to freedmen."

The defeat of this revolutionary measure, is conclusive that Congress has submitted the scheme embraced in the recent legislation, as a finality. When the South secures representation she will then be in a condition to co-operate effectively with the Northern conservatives in beating back the tide of aggression. Indeed when the State governments are reformed, all matters that appertain to their local interests will be withdrawn from Congressional supervision or control. And this is what they so much need. The rescue of their government from the control of unfriendly strangers, and the recognition in their favor by the powers of Washington of the right of local self government.

Commenting on the act of Congress prescribing that re-organization in the Southern States, shall take place on the basis of "equal suffrage," the Cincinnati Gazette, a Radical paper, deprecates the fact that it will increase their representation while nothing will be added to Northern representation—the States of that section having refused to adopt negro suffrage though they have forced it upon the South. And the Gazette bitterly says: "It will be queer if we shall have the physics which, in the name of Justice we have prescribed for the rebel States, returned to our own bowels through our unfaithfulness to our professions."

The Washington correspondent of the Cincinnati Enquirer, an able Conservative paper which supports Mr. Johnson's policy, says "there is no longer any doubt that the South will speedily organize under the Military Government act, and send at the earliest day possible their Representatives to Congress."

The first Northern election which has been held since the passage of the Military Bill came off in New Hampshire on Monday last. The Radical candidate for Governor was elected by about 3,000 majority. The average Radical majority at the previous election was between 3,000 and 4,000, showing no material change in public sentiment.

A perjured villain has gotten his deserts. Sanford Conover who swore the atrocious calumny that Ex-President Davis was connected with the assassination conspiracy has been convicted of perjury and sentenced to the penitentiary. His application for a new trial was not granted.

A prominent Senator has received positive information from three Southern States that they will immediately proceed to organize State governments under the military bill, and consequently asserted that all the Southern States will be reorganized under its provisions, and admitted by the 1st of January.

Alabama and Georgia accounts represent the destitution in those States as greater than heretofore stated. A leading Georgia paper estimates the total number in that State at 50,000.

Security of Property.

An eminent writer on Political Economy (McClulloch) has said that, "Security of property is the principal element in every properly constructed government. When maintained inviolate, a country can support without much difficulty a very heavy load of taxes; but where there is no security—where property is a prey to rapine and spoliation, to the attacks of the needy, the powerful or the profligate—the smallest burdens are justly regarded as oppressive, and uniformly exceed the means of the impoverished and spiritless inhabitants. Security is indispensable necessary to the successful exerting of the powers of industry. Where it is wanting it is idle to expect either riches, prosperity, or even prolonged civilization." "It is the security of property," says another writer, "that has overcome the national aversion of man to labor, that has given him the empire of the earth; that has given him a fixed and permanent residence, that has implanted in his breast a love of his country and posterity. To enjoy immediately, to enjoy without labor, is the natural inclination of every man. The law which restrains this (savage) inclination, and which secures to the humblest individual the quiet enjoyment of the fruits of his industry, is the most splendid achievement of legislative wisdom, the noblest triumph of which humanity has to boast." And it was a remark of Cicero that "civil government was chiefly organized for the protection of property—that it was the foundation on which all the institutions of civil society rests."

The truth of these reflections are brought forcibly home to the Southern people at this juncture. It is the insecurity that is known to exist as to property, which presses as a mountain of lead upon their energies, paralyzing industry, destroying confidence, overthrowing credit and forbidding immigration. The war left them with but a wreck of their former possessions; their industrial system demolished, and their capital lost with the cause of the Confederacy. To repair these losses, under circumstances the most propitious, would have been the work of many years of patient industry, aided by the most enterprising spirit, and supported by the fostering care of government. But in the case of these people, when they might have indulged a hope of the revival of prosperity by the industry which it was in their nature to exhibit, they have been overloaded with grievous taxation and haunted by the spectre of sweeping confiscations, which their cold, calculating, malignant and ungenerous foes have constantly held before their gaze.

Taxation impairs the powers of production, as they are impaired by barrenness of soil, or inclemency of season; and when to this insuperable obstacle to prosperity is added the insecurity of property which is felt by our people, a faint conception may be formed of the depth of misfortune into which they have been plunged.

The opportunity of perpetuating their industrial system by an independent government having been lost, their chief aim should be to build up another system upon a basis, which can be accomplished alone under the auspices of a stable government. Their great need is a final settlement of the sectional difficulty. The United States government by the decision of war has acquired the power to dictate a government for them. From the decision of this stern tribunal, there is no appeal; and for the first time, since the surrender of our armies, the law-making Department of that Government has offered terms of accommodation. They are harsh, it is true, but they are preferable to the alternative of Military rule, with confiscation, and the destruction of the safeguards of political and civil liberty, which were erected upon the overthrow of tyranny by our English ancestry centuries ago.

EGOTISM, OR VIRTUE REWARDED.—"A singular ceremony took place at the Tuileries recently," says a Paris correspondent; "nothing else than the presentation to the Empress by the National Society for Rewarding Virtue, of a gold medal of honor, for her noble conduct in visiting the cholera patients in the hospitals of Paris and Amiens." "It is not," said the president of the society, in the course of his address to the Empress, "a sentiment of flattery that prompts us to offer you this modest medal; it is a homage, joined to that which all France owes to the courageous and generous sovereign who left her palace and all its glories to visit the hospitals, to carry aid and comfort to the sick, and to raise the moral courage of the population of two great cities, decimated by a terrible scourge."

The ladies of Marshall (Texas), and vicinity are engaged in the noble service of preparing relief for Jefferson Davis and his family.

Letter of Hon. T. J. Wharton.

JACKSON, March 16, 1867.

MEMOR. ROBINSON, WESSON, HOLM and others.

GENTLEMEN:—With a reluctance greater than I ever felt in answering any communication, I proceed to reply to your letter of the 8th inst. Being of the prohibited class, it may be thought that it would be in better taste for me to remain silent. That policy would certainly be more agreeable to my feelings. It not infrequently happens, however, that we are called upon to sacrifice our feelings on the altar of duty. These are very weighty and solemn duties resting on every citizen, whether he be disfranchised or not, in this most unprecedented and perilous crisis. The fact that I am disfranchised, only intensifies the interest I feel in the election of the men, and the adoption of the measures which are to control its destinies. I turn with only deeper anxiety to those who are still permitted to exercise the prerogatives of freemen. Determined as I am to share the fate of my country, for weal or for woe, I shall only the more actively employ the privileges I retain to avert greater impending calamities from that country. I will never despair of the Republic until the last vestige of the Government established by the Constitution has been annihilated. Delusive as the hope may be, I will still fondly cling to it, that when the pressure of the hour has passed, the bitter experience of those who have been instrumental in pulling down the pillars of Constitutional Government to gratify an insane lust of power will induce them to retract their steps and re-establish the great principles they have subverted.

Those who know anything of my humble course, in the past, need not be told that I have adhered tenaciously, all my life long, to the school of State Rights. So zealous, indeed, has been my advocacy of the tenets of that party that I have been denominated an EXTREMIST. I am free to say, there was never a moment, during the late struggle of arms, when I would have consented to any settlement which did not embrace our REPUBLICANISM. Slavery, and every other issue involved, I would have subordinated to this one grand issue. After the surrender, I ardently desired to see the South assume a position of "masterly inactivity," or dignified silence. When my opinion was asked, I freely expressed it in opposition to all concessions. Recognizing the validity of the ordinance of secession, and having referred the controversy to the arbitrament of arms, I accepted, in good faith, the award from which there was, and is no appeal. I could not deny the right of the conqueror to prescribe terms to the conquered, however inconsistent our adversaries may be, who constantly proclaimed, through the messages and proclamations of the President, and resolutions of Congress, "that the war was waged for no purpose of subjugation, but solely to enforce the constitution and laws, and that when this was yielded by the parties in rebellion, the contest should cease, leaving the constitutional rights of the States and individuals unimpaired." Accepting the fact that slavery was dead, and that by force of arms we had been denied the exercise of the right to secede, I would never have conceded that the former was killed by our hands, or that the latter never existed. I would have said to our conquerors, your superior numbers and resources have prevailed over us, and we have been compelled to surrender our arms. We will not ally the lustre which was shed upon our escutcheon by those who maintained the unequal struggle for four long years, by prostrating ourselves as suppliants, licking the dust from the feet of our conquerors, and kissing the hand just raised to strike. We have returned to our allegiance to the Constitution and laws of the United States, with a firm purpose to do everything in our power to restore the Government to its pristine purity. We are in your power. Do with us as you like.

Then was the time, if ever, when the "masterly inactivity" policy should have been adopted. Above all things, I desired that the obnoxious measures threatened by the Radicals, if they prevailed, should be forced on us, not invited by us. And so in reference to the act enfranchising negroes, I have no toleration for those who beforehand were paving the way for it, or half way executing it.

I have said this much to show that I have not been swift to advise concessions, with a view to propitiate Radical favor. In the same spirit of candor, and I trust, not without due regard to the honor of the State, I now say that, not taking counsel of my feelings, but of my judgment, looking the crisis straight in the face, and comprehending, as I believe I do, the alternative submitted to me (acceptance of the proposed Constitutional Amendment, or perpetuation of Martial Law), I prefer the former to the latter.

I despise both, and would gladly be excused from making choice between them. But if I do not make the choice, it will be made for me, and they have told me what it will be. How much more in consonance with my feelings, and all the impulses of my nature, to say to those who have forced the choice upon us—"Be ye juggling rascals no more, believed, who palter with me in a double sense, who hold the promise to the east and break it to the hope!"

things as to those points. Not only are you not allowed a voice in these matters, but the latest edicts from Washington clearly indicate that your Legislature will not be permitted to call the Convention. Even that will be provided for, and Congress itself will exercise the power, or confer it upon the General commanding the District. Suppose the policy of those who advocate non-action prevails, in the election of delegates to that Convention, what would those delegates do when they assemble? Of course, to be consistent with the principle upon which they were elected, they would meet and adjourn without doing anything, or would pass a resolution refusing to comply with the requisition contained in the bill, to embody in the Constitution of the State the proposed Amendment to the Constitution of the United States. In either case, they would simply prolong the reign of Martial Law; whereas, by adopting that Amendment, you certainly get clear of that terrible calamity. For it is noticeable, that there is an explicit pledge in that behalf, in the act of Congress, whatever room there may be (though I maintain there is none), for doubt as to the existence of a pledge, of a full restoration to the States of all their political rights and privileges, upon compliance with the conditions prescribed. No candid man can deny that the bill under consideration distinctly presents the issue as I have stated—conformity to the requirements of the bill, as to the adoption of the Constitutional Amendment, or the continued and indefinite existence of Martial Law over us and our children. If this be so, how can any one say he has not a choice, or will not make a choice, between two such monstrous evils? The one is infinitely more appalling than the other, still being obliged to choose, as a man of reason, he will prefer the lesser evil.

I may be forced to part with my life or my arm. It is terrible to be forced to such alternatives. When I am, I shall not be long in deciding which it shall be.

You ask me if the act which forces this choice upon you, is not a flagrant violation of the Constitution, and if so, may it not be so decided by the Supreme Court, and had we not better waive the question and await the decision of that tribunal. I reply, surely it is a palpable violation of the Constitution. The admirable message of the President has exposed this triumphantly. He exhausted his power in the effort to prevent the perpetration of such an outrage upon the constitutional rights of the people affected by it. But it is in vain we appeal to a violated Constitution. It is trampled under the feet of those who had taken an oath to support it. Then as to a reference of the question to the Court; there is more than a doubt whether it is possible, for it could be so, should have experienced all the horrors of military rule, for twelve or eighteen months, before a decision could be had. Whilst by a different policy, we could relieve ourselves of that rule in half that time. Though we cannot rescue the Constitution from the violation committed in the particulars referred to, our duty is not the less imperative to strive to prevent further violations of it. Whilst one vital principle survives, we should cling to it as a mariner clings to the last plank when night and the tempest have gathered around him. By such a course we may hope to see tranquility the sooner restored, and the blessings of peace and prosperity dispensed throughout the length and breadth of our now distracted country. Contrast the condition which may be brought about by a judicious exercise of the right of suffrage by every man who possesses it, with the insupportable ferocity of martial law, or the scarcely less to be deprecated civil despotism now prevailing in Tennessee, under the demon Brownlow, and reflect that "masterly inactivity" is responsible for that state of things there, for had every man voted who was allowed to do so, they would have arrested the course which cannot now be removed. Besides you, have it in your power to hasten the removal of the proscription against your fellow-citizens, now deprived of the right to vote or hold office, and to increase the chances of maintaining the ascendancy of the whites.

It is said we dishonor ourselves by pursuing the course I have recommended. Did General Lee bring dishonor upon himself and his command when he surrendered to a force he could no longer resist, and the effort to resist the force opposed to us, as he was. The case is simply this: rejection of the act will prevent its execution, and will precipitate confiscation. Acceptance of it may avert that last and dire calamity. I do not say it will. The chances are it will not. But as there is one chance, at least, in the latter case, and not one, in the former, it is the part of prudence to play for that chance.

There are two roads before me. They are both beset by dangers. The one more so than the other. I will tread the one which offers the best hope of safety.

I have been long racked upon a bed of sickness. I have passed through many vicissitudes alternating between hope and despair. My physician tells me he has exhausted his skill, that there is a desperate remedy never used until all others have failed, that there is a bare possibility of my recovery, if I take it, that I will certainly die if I do not take it. In that extremity, seeing that non-action, or "masterly inactivity" is death, I embrace the last hope. Shall I act with less prudence when the life of my country is in peril?

LAW OF MISSISSIPPI.

Public Acts, Called Session, 1866 & '67.

[BY AUTHORITY.]

AN ACT for the Encouragement of Agriculture.
Section 1. Be it enacted by the Legislature of the State of Mississippi, That all debts hereafter contracted for advance of money, purchase of supplies, farming utensils, working stock, or other things necessary for the cultivation of a farm, or plantation, shall constitute a prior lien upon the crop of cotton, corn, and other produce of such farm or plantation, which cannot by law exempt from levy and sale, by virtue of execution and also, on the animals and implements employed or used in cultivating the same, which shall have been purchased with the money so advanced, or which shall have been furnished by such person, in favor of the person or persons so advancing or furnishing, as aforesaid, from the time the contract or contracts thereof, or a synopsis of the same, shall be entered as hereinafter provided.

Section 2. Be it further enacted, That when any owner, or lessee of any plantation or farm, shall contract with any person to cultivate such farm or plantation for a share or shares of the crop, in lieu of wages, and such owner or lessee shall make advances of money, provisions, or clothing in accordance with such contract, such owner or lessee shall have a lien on the share of such laborers for the payment of the same.

Section 3. Be it further enacted, That all contracts within the provisions of this act, or any thereof, shall be filed in the office of the clerk of the Circuit Court of the county in which the farm or plantation is situated, and such clerk shall enroll the same in the order in which they are so filed in a well bound book, in the following form:

Name.	Date.	Amount.	When Due.	Name of Debtor.	Filing.	Indebtedness.	Due.	For.

For which service the clerk shall be entitled and receive a fee of fifty cents, and such enrollment shall be equivalent to notice to all persons of the existence of such lien; and if the lien is not satisfied by the law of a specific sum during the year may enroll his contract, which shall be equivalent to notice of his lien for the full amount so agreed to be advanced, and the lien shall be limited to the amount actually advanced, with the interest thereon.

Section 4. Be it further enacted, That proceedings to enforce such liens shall be by bill in chancery, sworn to by complainant, or by his agent, commenced in the county where such farm or plantation is situated, to be prosecuted as other cases of mortgage or lien. Every such bill shall be filed and commenced within six months after the debt or debts become due, and not after.

Section 5. Be it further enacted, That when such bill shall be filed, the Clerk of the Circuit Court, without fail, shall cause to be issued a writ of sequestration commanding the proper Sheriff to seize and take into his possession, the property charged with such lien, and to retain the same until the further order of the Court or Judge, or until the defendant from whose possession the same is taken, shall enter into bond with good security, payable to the complainant, in double the value of the property to be assessed by the officer, conditioned to have the property forthcoming to abide the decree to be made by the Court in the cause, said bond to be returned with the writ, and in case the property shall not be delivered or forthcoming to abide the decree, said bond shall have the force and effect of a judgment, and execution may issue thereon.

Section 6. Be it further enacted, That it shall not be lawful for any Sheriff or other officer to levy on or sell by virtue of an execution or other process, issued from any Court in this State, any crop of cotton, corn or other agricultural product, while the same is under cultivation and before it is matured and severed, provided, that the amount of such lien shall not exceed the value of the crop for rent, or against a non-resident, or absconding debtor, from being levied on or sold for crop or product and the same sold according to law.

Section 7. Be it further enacted, That it shall be lawful to convey by way of mortgage or deed of trust, any crop of cotton, corn, or other agricultural product, or the proceeds thereof, provided, that the same shall be produced within fifteen months from the date of such mortgage. Provided, that nothing in this act shall interfere with any prior lien granted by the provisions of this act, for supplies and means furnished to grow the crop.

Section 8. Be it further enacted, That nothing in this act contained shall affect any of the rights or remedies now allowed by law of the landlord for rents due or owing for any plantation or farm.

Section 9. And it be further enacted, That this act shall take effect and be in force from and after its passage.
Approved, Feb. 18, 1867.

AN ACT to authorize the Auditor of Public Accounts to issue duplicate warrants in certain cases.
Section 1. Be it enacted by the Legislature of the State of Mississippi, That whenever the owner or holder of a warrant issued by the Auditor of Public Accounts on the State Treasurer, shall lose the same or the warrant shall by any casualty be destroyed, before payment shall be lawful for the Auditor of Public Accounts to issue a duplicate warrant to such owner or holder upon satisfactory proof under oath, being made by said Auditor of the loss or destruction of the original, and upon the execution by such holder or owner of a bond with good security in double the amount of the said warrant and payable to the State of Mississippi to indemnify and save harmless the State on account of the issuance and payment of such duplicate warrant, until such bond the Auditor of Public Accounts is hereby authorized to take and keep on file in his office and to collect or put the same in suit whenever said bond shall be broken or forfeited.

LAW OF THE UNITED STATES.

Passed at the First Session of the Thirty-Ninth Congress.

(Continued from last page.)

per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.
For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.
For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.
For pay of two blacksmiths, one of whom to be a gunsmith and tin-smith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.
For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.
For ninth of ten instalments for farming utensils, stock, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.
For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.
For miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For eighth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.
For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, three hundred dollars.
For grist and saw mill, and keeping the same in repair, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, three hundred dollars.
For permanent annuity in money, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.
For permanent annuity in silver, per third article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

For life annuity to chief, per third article treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred dollars.
For life annuity to chiefs, per third article treaty twenty-ninth July, eighteen hundred and twenty-nine, seven hundred dollars.
For education during the pleasure of Congress, per third article treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred dollars.
For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.
For permanent annuity in goods or otherwise, per third article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

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ber, eighteen hundred and eighteen, five hundred dollars.
For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand and sixty dollars.

For miller during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.
For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.
For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Seneca and Shawnees.—For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.
For blacksmith, and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twenty-fourth July, eighteen hundred and twenty-nine, one thousand and sixty dollars.
Shawnees.—For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth day, eighteen hundred and fifty-four, one thousand dollars.

For thirteenth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
Six Nations.—For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

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